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PTO/SB/21 (08-00)

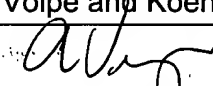
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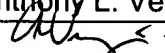
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<h1>TRANSMITTAL FORM</h1> <p>(to be used for all correspondence after initial filing)</p>	Application Number	09/787,602	
	Intl. Filing Date	September 20, 1999	
	First Named Inventor	Kelly et al.	
	Group Art Unit	Not Yet Known	
	PCT Legal Examiner	Not Yet Known	
Total Number of Pages in This Submission	7	Attorney Docket Number	MOT-D2191

ENCLOSURES (check all that apply)				
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input checked="" type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <p style="text-align: center;">SEE REMARKS</p>		
<table border="1" style="width: 100%;"> <tr> <td style="width: 30%;">Remarks</td> <td>Exhibit T</td> </tr> </table>			Remarks	Exhibit T
Remarks	Exhibit T			

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or Individual name	Anthony L. Venezia Volpe and Koenig, P.C.	Reg. No. 48,382
Signature		
Date	June 7, 2002	

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: PCT Legal Office, Commissioner for Patents, Washington, DC 20231 on this date:			
			June 7, 2002
Typed or printed name	Anthony L. Venezia		
Signature		Date	June 7, 2002

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PATENT #9

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the **PATENT APPLICATION** of:

Kelly et al.

Application No.: 09/787,602

Intl. Filing Date: September 20, 1999

For: METHOD AND APPARATUS FOR
SHUFFLING AND DESHUFFLING
VIDEO SIGNALS

Group: Not Yet Known

PCT Legal Examiner: Anthony Smith

Our File: MOT-D2191

Date: June 7, 2002

RENEWED PETITION UNDER 37 C.F.R. § 1.47(a)

PCT Legal Office
Commissioner for Patents
Washington, D.C. 20231

Sir:

This Renewed Petition is being filed in response to the April 9, 2002 Decision on Petition under 37 C.F.R. § 1.47(a) in order to proceed with the above-referenced application without the signature of joint inventor Charles P. Kelly.

A summary of Exhibits is attached for the Examiner's convenience. Exhibits A-N were transmitted in a petition under 37 CFR 1.47(a), dated August 23, 2001. Exhibits O-S were transmitted in a petition under 37 CFR 1.47(a), dated January 23, 2002.

The last known address for Mr. Kelly is 2184 Brady Drive, Lewisville, TX 75057.

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Application No.: 09/787,602

As shown by Exhibit K, Mr. Kelly signed for a FedEx package on July 16, 2001, which was sent to the above address transmitting a letter dated July 12, 2001 (Exhibit J). This establishes Mr. Kelly residing at the above last known address, notwithstanding the various attempts to transmit the Declaration, Assignment and Power of Attorney to him at prior known addresses (Exhibits A-I). Since the U.S. application was based upon a PCT application, which the inventor was thought to have had a copy, the complete application was not sent with those prior letters.

On December 18, 2001, a letter was sent to Mr. Charles P. Kelly to the above address, enclosing a complete copy of the application and drawings as filed with the USPTO, as well as the Declaration and Assignment documents (Exhibit O). This December 18, 2001 letter was sent via certified mail with return receipt requested. Mr. Kelly refused to claim the package as evidenced by the Request for Delivery Information/Return Receipt After Mailing (Exhibit S).

A second attempt to transmit a complete copy of the application and drawings as filed with the USPTO, along with the Declaration and Assignment documents, was made on January 2, 2002 using FedEx delivery. The shipping instructions did not authorize delivery without signature of recipient. This is clearly shown in the Fed Ex shipment receipt, which is enclosed as Exhibit T, with the relevant portion highlighted.

The Examiner states that "the shipper released FedEx for obtaining a signature of the recipient and no such signature was obtained". However, the undersigned asserts that the FedEx printouts submitted by the Examiner indicates only that either the recipient or shipper released the

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signature requirement: "At the time of shipment, the signature was released by the shipper/recipient (indicating no signature was required)." Since the shipper, Amy McShea, did not make such a request, per Exhibit T, the waiver signature of "Amy McShea" must have been made by the recipient. This can be explained as follows. It is customary for FedEx delivery persons to leave a notice of missed delivery and release form for signature at the shipping location, when no one is available to sign for the package at the time of delivery. The FedEx notice requests a release signature by the recipient such that upon a second delivery attempt on a subsequent day, the package may be left at the location without the recipient's signature. The undersigned asserts that only the recipient could have signed the release since at the time of delivery, the shipper, Amy McShea, was in Philadelphia PA, the shipping origin location. It is unknown why the recipient signed in Amy McShea's name.

The undersigned has also attempted on several occasions to contact Mr. Kelly by telephone at his last known telephone number (972) 219-7998, but was unsuccessful. As the record shows, there have been numerous attempts to obtain Mr. Kelly's signature, all of which have been met with a continued refusal to respond.

The two transmittals dated December 18, 2001 and January 2, 2002 show that bona fide attempts were made to present a copy of the application papers to the nonsigning inventor for signature. The inventor has refused delivery (Exhibit S) of the first attempt. The applications were successfully delivered to the inventor on January 4, 2002, and he has refused to sign and return the documents.

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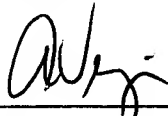
It is respectfully submitted that the undersigned has complied with all required items to proceed without the signature of joint inventor, Charles P. Kelly under 37 C.F.R. § 1.47(a). It is hoped that Mr. Kelly will join in the application at a later date. Therefore, it is respectfully requested that the Renewed Petition be granted and the PTO accept the application on behalf of signing joint inventor, Mr. Douglas N. Nelson.

Reconsideration and allowance of the pending claims are respectfully requested. If the Examiner believes that a further telephonic interview would facilitate allowance of the claims, she is respectfully requested to contact the undersigned at 215-568-6400.

Reconsideration and allowance of the pending claims are respectfully requested. If the Examiner believes that a further telephonic interview would facilitate allowance of the claims, she is respectfully requested to contact the undersigned at 215-568-6400.

Respectfully submitted,

Kelly et al.

By 

Anthony L. Venezia
Registration No. 48,382
(215) 568-6400

Volpe and Koenig, P.C.
Suite 400, One Penn Center
1617 John F. Kennedy Boulevard
Philadelphia, PA 19103

ALV
Enclosure

Summary of Exhibits - History of Mailings to Unsigned Inventor

May 1, 2001 letter (**Exhibit A**)

FedEx Tracking Detail Report, (**Exhibit B**). This tracking report indicates that Mr. Kelly signed for the FedEx package on May 7, 2001.

Address: Coppel, TX

May 16, 2001 letter (**Exhibit C**)

June 4, 2001 letter (**Exhibit D**)

June 5, 2001 FedEx Tracking Detail Report, (**Exhibit E**). This tracking report indicates that Mr. Kelly signed a release left by FedEx and subsequently the FedEx package was delivered on June 5, 2001.

Address: The Colony, TX

June 19, 2001 letter (**Exhibit F**)

This June 19, 2001 letter was subsequently returned by the U.S. Postal Service as unclaimed. Express Mail Envelope showing the Postal Service's stamps (**Exhibit G**)

Address: The Colony, TX

July 2, 2001 letter was identical to the June 19, 2001 letter (**Exhibit H**)

This July 2, 2001 letter was again returned by the U.S. Postal Service as unclaimed with a forwarding address written thereon: 2184 Brady Dr., LEWISVILLE, TX 75057

Express Mail Envelope showing the Postal Service's stamps (**Exhibit I**)

Address: The Colony, TX

July 12, 2001 letter (**Exhibit J**)

FedEx Tracking Detail Report (**Exhibit K**). This tracking report indicates that Mr. Kelly signed for the FedEx package on July 16, 2001.

Address: Lewisville, TX

December 18, 2001 letter and attachments sent via certified mail with return receipt requested. (**Exhibit O**)

Envelope indicating the certified mailing was unclaimed and returned, and the Request for Delivery Information/Return Receipt After Mailing (**Exhibit S**)

January 2, 2002 letter to via FedEx, signature required. (**Exhibit P**)

FedEx Shipment Receipt (**Exhibit Q**)

Track Shipments Detailed Results (**Exhibit R**)

FedEx Shipment Receipt (**Exhibit T**)

FedEx Ship Shipment Receipt

From:
Amy McShea
(215) 568-6400
Volpe and Koenig PC
1617 JFK Blvd
400
Philadelphia, PA 19103

To:
Mr. Charles P. Kelly
(972) 219-7998
2184 Brady Drive
Lewisville, TX 75057

COD Return Address:
N/A

Date: 02JAN02
Track Number: 791745021279
Service: Priority Overnight
Packaging: FedEx Letter
Special Handling: Drop
Piece: 1 of 1
Weight: 1 LBS
Dimensions: N/A
Declared Value: N/A
Deliver without Signature: No

Billing: Bill Sender
Bill To Acct: 115352318
Rate Quote: \$15.15
Reference: MOT-D2191 DWS/amc

COD Shipment: No
COD Amount: N/A
Secured Check: N/A
Include Freight: N/A

Document Shipment: N/A
Commodities: N/A
Total Customs Value: N/A
Currency: N/A
Countries of MFG: N/A
Export License: N/A
Expire: N/A
License Exception Symbol: N/A
ECCN: N/A
Ultimate Destination: N/A

TERMS AND CONDITIONS

For complete terms and conditions see the FedEx Ship License

Agreement to Terms. By giving FedEx Your shipment, You agree to be bound by the terms and conditions specified in this document, the FedEx Service Guide and the FedEx Ship License You previously executed, all of which are incorporated herein by reference, for carriage of the shipment via FedEx delivery services to destinations located outside the United States. If there is a conflict between this document and the FedEx Ship License, the FedEx Service Guide ("Service Guide") or the Standard Conditions of Carriage (which are available upon request from FedEx), then in effect, the Service Guide or Standard Conditions will control, as applicable.

Customs Clearance. You hereby appoint FedEx as Your agent solely for the performance of customs clearance and certify FedEx as the nominal consignee for the purpose of designating a customs broker to perform customs clearance. In some instances, local authorities may require additional documentation confirming FedEx's appointment. It is Your responsibility to provide proper documentation and confirmation, where required.

You are responsible for and warrant compliance with all applicable laws, rules and regulations, including but not limited to, customs laws, import and export laws and government regulations of any country to, from, through or over which your shipment may be carried. You agree to furnish such information and complete and attach to this shipment such documents, or submit shipment data to FedEx, as necessary to comply with such laws, rules, and regulations. FedEx assumes no liability to You or any other person for any loss or expense due to Your failure to comply with this provision.

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